HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 23740 of 2006

Dated 2nd August, 2007

Between

Pandith Deen Dhayal Upadyaya Educational Society,
Chapur village, Nizamabad District, rep. By its Chairman
Alijapur Srinivas, and ors

…Petitioners

and

The Government of AP, Higher and Technical Education
Department, rep. By its Principal Secretary, Hyderabad, and ors

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 23740 of 2006

ORDER:

This Writ Petition is filed questioning the action of the respondents in not approving the admissions made by the petitioners in the additional intake capacity sanctioned by the All India Council for Technical Education by order dated 17-10-2006.

The first petitioner, a society, had established second petitioner-college to run engineering and technical courses, initially with intake capacity of 240 students. It had applied for increase of intake capacity in Electronics and Communication Engineering course from 90 to 120 and in Information Technology course from 30 to 60. It is the grievance of the petitioners that in spite of the orders issued by the competent authority, i.e. All India Council for Technical Education, the State

Government has not passed orders granting permission.

Based on the orders issued by the All India Council for Technical Education increasing the intake capacity, the petitioner had admitted 12 students on their own in B Category seats. When the said admissions were not approved and said students were not allowed to write examinations, they approached this Court. But , however, it is brought to my notice that subsequent to the filing of the Writ Petition, the Government has issued orders in G.O.Rt.No. 598, Higher Education (EC.2) Department, dated 31-7-2007 granting permission for approval of the list of students admitted by the second petitioner-college in B category seats, by imposing penalty and also subject to filing undertaking, as mentioned in the said Government Order. Consequent to the issuance of G.O.Ms.No. 598, dated 31-7-2007, the AP State Council for Higher Education also addressed a letter dated 1-8-2007 to the fourth respondent-Jawaharlal Nehru Technological University stating that the Management had paid penalty imposed by the Government and furnished undertaking as directed in the in G.O.Ms.No. 598, dated 31-7-2007and requested to take further action for announcing the results of the examinations of the said students.

As much as the Government has issued orders in G.O.Rt.No. 598, dated 31-7-2007 granting permission for approval of admissions of said 13 students made by the second petitioner-college in B. Category seats in the additional intake capacity granted by the All India Council for Technical Education, and, pursuant to the said Government Order, the petitioners had paid penalty and furnished undertaking, I dispose of the Writ Petition directing the respondents to approve the admissions of said 12 candidates and announce the results of the examinations, in which they appeared.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

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JUSTICE R. SUBHASH REDDY

DATE: 2-8-2008
Issue CC today.
(BO) Msnr.